

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

UNITED STATES OF AMERICA )  
 ) Case No.4:13-cr-22  
v. ) MATTICE / LEE  
 )  
THOMAS KANDZIORSKI )  
 )

**O R D E R**

Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) accept Defendant's plea of guilty to the Bill of Information; (2) adjudicate Defendant guilty of the charges set forth in the Count 1 of the one-count Bill of Information; (3) defer a decision on whether to accept the plea agreement until sentencing; and (4) find defendant shall remain in custody until sentencing in this matter [Doc. 12]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Doc. 12] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's plea of guilty to Count 1 of the Bill of Information is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count 1 of the Bill of Information;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Monday, November 18, 2013 at 2:00 p.m. [EASTERN]** before the Honorable Harry S. Mattice, Jr.

**SO ORDERED.**

**ENTER:**

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE